

**TOOELE CITY PLANNING COMMISSION MINUTES**  
**December 13, 2017**

Date: Wednesday, December 13, 2017  
Time: 7:00 p.m.  
Place: Tooele City Hall Council Chambers  
90 North Main Street, Tooele Utah

**Commission Members Present:**

Ray Smart  
Phil Montano  
Brad Clark  
Shauna Bevan  
Chris Sloan

**Excused Commission Members:**

Russell Spendlove  
Matt Robinson  
Melanie Hammer

**City Employees Present:**

Rachelle Custer, City Planning & Zoning Administrator  
Jim Bolser, Community Development and Public Works Director  
Roger Baker, City Attorney

**Council Members Present:**

Councilman McCall

Minutes prepared by Amanda Graf

**1. Pledge of Allegiance**

The Pledge of Allegiance was led by Commissioner Clark

**2. Roll Call**

Ray Smart, Present  
Chris Sloan, Present  
Shauna Bevan, Present  
Phil Montano, Present  
Brad Clark, Present

Since Chairman Robinson was absent, Vice Chairwoman Bevan acted as the Chair of the meeting.

Mr. Bolser reminded the Commission that since there were only five commission members present the bylaws state that regardless of the number of members present, it still takes four affirming votes for any motion, regardless of what the motion is, to sustain the vote. In this case it would take at least a four to one vote to carry any motion for or against anything. Anything short of that would result in the motion dying for lack of a sustaining vote, wherein a new motion would have to be offered. A simply majority would not carry any motion.

**Commissioner Sloan motioned to move agenda item numbers 5 and 6 to the beginning of the meeting.** Commissioner Clark seconded the motion. The vote was as follows: Commissioner Smart, "Aye," Commissioner Sloan, "Aye," Chairwoman Bevan, "Aye," Commissioner Montano, "Aye," Commissioner Clark, "Aye." The motion passed.

**3. Setting Dates, Times, and Places for Planning Commission meetings for the 2018 calendar year**

Mr. Bolser explained that the meeting dates need to be set for the following calendar year. The meetings will occur the 2<sup>nd</sup> and 4<sup>th</sup> Wednesdays of the month. As is tradition they have omitted the meetings for the 2<sup>nd</sup> Wednesdays for November and December.

**Commissioner Smart motioned to adopt the proposed meeting schedule.** Commissioner Clark seconded the motion. The vote was as follows: Commissioner Smart, "Aye," Commissioner Sloan, "Aye," Chairwoman Bevan, "Aye," Commissioner Montano, "Aye," Commissioner Clark, "Aye." The motion passed.

**4. Nominate and elect Chair and Vice Chair for the 2018 calendar year**

Mr. Bolser explained that there's a provision in the Commission's bylaws that provides for ballots or open votes for voting for the Chair and Vice Chair. Mr. Bolser accepted any nominations for Chair. Commissioner Sloan nominated Matt Robinson to be the Chair. Commissioner Smart nominated Commissioner Bevan to be the Chair. Mr. Bolser gave them the option to vote verbally or by paper ballot. The Commission opted to vote verbally. The vote was unanimous for Commissioner Robinson to be the Chair of the Planning Commission for 2018.

Chairwoman Bevan nominated Commissioner Sloan to be the Vice Chair. There were no other nominations for Vice Chair. Since there were no other nominations for Vice Chair no votes needed to be taken for Vice Chair. Commissioner Sloan accepted the nomination to be Vice Chair.

**5. Public Hearing and Motion on Conditional Use Permit to include off-street parking determination for 5D Corporation to operate a multi-use facility to include business offices, retail spaces, personal services, cafeteria, and professional offices at 140 E 200 S**

This application is a request for approval of a Conditional Use Permit to include off-street parking determination for mixed-uses in an existing facility by Rocky Mountain Care Tooele at 140 E 200 S. This

is for a multi-use facility to include cafeteria, business offices, retail sales, personal services, and professional offices at this location. The property is currently zoned MU-G Mixed Use. The above-mentioned uses are all conditional uses in the MU-G zoning district. This is the former nursing home that is located at 140 E and 200 S. Parking is determined by the planning commission based on reasonable uses.

5D corporation is interested in purchasing the existing building from Rocky Mountain Care of Tooele. This facility is the former nursing home which has relocated to W 2000 N. The buyer is interested in leasing out different spaces for multiple uses. They currently have requests from various businesses to include a bakery, self-defense classes, youth clubs, online school, space for charity events, office space, café, and some small gift shops, all which require a Conditional Use Permit. The Conditional Use permit runs with the land, not the business, therefore it is being applied for by the current property owner Rocky Mountain Care Tooele on behalf of all of the requested uses.

They currently have 137 parking spaces; for the purposes they have used today they need 38 spaces. Since the use and parking need will increase as businesses move into the facility it is the recommendation of the staff that each business license submitted for a use in this facility will require a parking review to ensure sufficient parking is available for the proposed use. Asylum parking is used for the evening which will not interfere with the businesses during the daytime. Ms. Custer is requesting that with each business that comes into the facility that parking be requested with each new request.

The City Attorney, Roger Baker, asked whether the conditional-use hearing was just for the parking requirement or for the proposed uses as well. Ms. Custer responded that it was for both the parking and the proposed uses of the building.

Chairwoman Bevan asked if there were any questions from the Commission.

Commissioner Clark asked if the motion needed to be amended to reflect the condition that each business license will require a parking review. Chairwoman Bevan mentioned that that information would be included when they made the motion.

Chairwoman Bevan invited comments from the audience for the public hearing.

Mary Durfee came forward. She lives across the street from Rocky Mountain Care facility. They had a lot of issues with parking when the care facility was there because people didn't use the parking spaces. The City came and installed a drainage ditch but they're still having issues with drainage problems. She was wondering if there's a way they could do residential parking so people won't be able to park in front of their house. She stated that they've had individuals sit on their lawn and eat lunch there.

Commissioner Sloan asked if there is sufficient parking but that the individuals don't use it. Ms. Durfee confirmed that yes, there's enough parking but it's more convenient for people to park in front of her house. She said that people park in front of her home at all hours.

Darlene White lives at 161 E. 200 S. She wants to make sure there aren't going to be any big lights going up around the building. Individuals representing Asylum 49 clarified that there wouldn't be any extra lights going up around the building.

Kim Anderson, the founder of Asylum 49 and current owner of the property clarified that they will not be expanding Asylum 49. The haunted house is number one in the state and number 13 in the nation. They decided that they wanted to bring something to the community to be used year-round. They found that the kids that work for Asylum 49 had a lot of talents; Asylum 49 started to sell their artistic works in their concessions during October. It gave them an avenue to be proud of something. The idea was that if they could find a place for the students to sell their items year-round it would be beneficial to them. They will be offering classes to the community to take in the building.

Mr. Anderson can't address the parking with Rocky Mountain Care and their parking issues. He wants to make sure and be a good neighbor to the neighborhood and stated that they would do what they can to address the parking concerns.

Ms. White asked if they were going to build the building higher; Mr. Anderson clarified that they will not be building it any higher. He stated that they spent all last summer repairing sprinkler valves and repurposing the system. They added a solar light that will be shining down on the building, not up which will help reduce light pollution. Ms. White stated that during the winter the light is really bright. She wanted to clarify that there wouldn't be any other tall lights added to the building; Mr. Anderson confirmed that there wouldn't be any additional lights.

Megan Crowther came forward; she lives across from Asylum 49. She is in favor of the proposal. She has gotten to know the owners over the past few years and they have been fantastic neighbors. Her children participate and take part in some of the activities that can be offered at the facility. She has four small children and she was concerned that it'd be a vacant building that would attract crime. She is glad the building will be put to good use and continue to be occupied with businesses.

Daniel Pacheco came forward to speak in support of the development. He's been involved with Asylum 49 in the past. One of the last jobs he had was on the West Side in SLC and it involved revitalization. Asylum 49 is putting together a community center in a building that nobody wanted to do anything with. They are providing a community center that will be a great asset to the youth of the community.

Holly Cisco-Tucker came forward and mentioned that she has done a few boutiques with the owners of the property and they have been wonderful to work with. They want to do something good with the community.

Chairwoman Bevan asked if there were any other comments from the public; there weren't any.

Mr. Bolser addressed the parking issue on 200 South. He stated that 200 South is a public street and public parking is permissible on that road. If someone parks on anyone's property or blocking their access they have the right to contact the police and have those vehicles towed or cited. He stated that if the Commission is concerned over parking they can impose a condition that everyone working, operating a business, or providing a service within the project is required to park on-site.

**Commissioner Sloan moved to approve the Conditional Use Permit request to include parking requirement determination by Rocky Mountain Care of Tooele to be located at 140 E 200 S, application number P17-565, based on the findings and subject to the conditions listed in the Staff Report dated December 13, 2017, with the condition that each business license submitted for a use in this facility will require a parking review to ensure sufficient parking is available for the proposed use**

**and that employees be required to park on-site.** Commissioner Smart seconded the motion. The vote was as follows: Commissioner Hammer, “Aye,” Commissioner Smart, “Aye,” Commissioner Sloan, “Aye,” Commissioner Bevan, “Aye,” Commissioner Spendlove, “Aye,” Commissioner Montano, Chairman Robinson, “Aye.” The motion passed.

**6. Public Hearing and Motion on Conditional Use Permit for Thompson Meats to operate a food-processing plant to process jerky at 10 S Garnet St., Bldg. 669, Ste. 6**

This application is a request for approval of a Conditional Use Permit for Thompson Meats to be located at 10 S Garnet St., Bldg 669, Ste. 6. The property is currently zoned PID PUD Industrial and is located at the Ninigret/Peterson Industrial Depot. The applicant is requesting that a Conditional Use Permit be approved to allow for food processing at this location. Food processing is allowed with a Conditional Use Permit in the Industrial Zoning District. The property is currently owned by Ninigret Depot. It is a large existing building with numerous suites in it. Thompson Meats is requesting to process jerky for distribution at this location. The raw meat will be brought to this location for processing from beginning to end. There will not be any live animals brought to this location. Licensing is required by the USDA which they have obtained. All food uses require a grease interceptor which has recently been installed and inspected at this location. There will not be any retail sales at this location, only processing.

Chairwoman Bevan asked if there were any other questions from the Commission; there weren't any.

Chairwoman Bevan invited comments from the audience for the public hearing; there were not any. Commissioner Robinson closed the public comment period.

**Commissioner Smart moved to approve the Conditional Use Permit request by Ninigret Depot for food processing to be located at 10 S Garnet St., Bldg. 669, Ste. 6, application number P17-661, based on the findings and subject to the conditions listed in the Staff Report dated December 13, 2017.**

Commissioner Clark seconded the motion. The vote was as follows: Commissioner Smart, “Aye,” Commissioner Sloan, “Aye,” Chairwoman Bevan, “Aye,” Commissioner Montano, “Aye,” Commissioner Clark, “Aye.” The motion passed.

**7. Review and Approval of Planning Commission Meeting minutes for meeting held October 25, 2017**

**Commissioner Sloan moved to approve the minutes from the meeting held October 25, 2017.**

Commissioner Clark seconded the motion. The vote was as follows: Commissioner Smart, “Aye,” Commissioner Sloan, “Aye,” Chairwoman Bevan, “Aye,” Commissioner Montano, “Aye,” Commissioner Clark, “Aye.” The motion passed.

**5. Adjourn**

Commissioner Bevan moved to adjourn the meeting. The meeting adjourned at 7:37 p.m.

*The content of the minutes is not intended, nor are they submitted, as a verbatim transcription of the meeting. These minutes are a brief overview of what occurred at the meeting.*

Approved this 10th day of January, 2017

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Shauna Bevan, Vice Chairwoman, Tooele City Planning Commission

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